IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Appeal No. 857 of 2001
(Old No. 2757 of 1987)

Surender Kumar S/o Sita Ram,
R/o Ritha Mandi, Saharanpur. ……. Appellant

Versus

State ……. Respondent

Mr. Vinod Sharma, Advocate for the appellant.
Mr. H.C. Pandey, A.G.A. for the State.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. Prafulla C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. Vinod Sharma, Advocate for the appellant.

Mr. H.C. Pandey, A.G.A. for the State.

2. Chief Judicial Magistrate, Dehradun, in his report in regard to the execution of the warrant of arrest issued against appellant Surender Kumar, has reported that appellant Surender Kumar has died on 17.09.2001. A photocopy of the Death Certificate issued by Nagar Palika, Saharanpur is also enclosed with the report.

3. As the sole appellant in this appeal Surender Kumar has died, the appeal stands abated and is, hereby, dismissed accordingly.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C.J.)**
01.05.2006 **01.05.2006**

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